

HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STUART REGES,

Plaintiff,

v.

ANA MARI CAUCE, et al.,

Defendants.

CASE NO. 2:22-cv-00964-JHC

**STIPULATED MOTION AND
ORDER TO AMEND PLAINTIFF'S
COMPLAINT**

NOTE ON MOTION CALENDAR:
July 17, 2023

As permitted by Federal Rule of Civil Procedure 15(a)(2), LCR 7(d)(1), LCR 10(g), LCR 15, and the Court's Minute Order Setting Trial Date and Related Dates, ECF No. 39, Plaintiff Stuart Reges ("Plaintiff") and Defendants Ana Mari Cauce, Nancy Allbritton, Magdalena Balazinska, and Daniel Grossman ("Defendants"), by and through their undersigned counsel, submit this Stipulated Motion to Amend Plaintiff's Complaint. In support of this motion, the parties state that:

WHEREAS on July 13, 2022, Plaintiff, Professor Stuart Reges, filed his Complaint for Civil Rights Violations in this action against the Defendants;

WHEREAS Plaintiff seeks to file his proposed Amended Complaint, which adds newly discovered facts and prayers for relief related to prospective injunctive

1 relief and damages;

2 **WHEREAS** a copy of Plaintiff's proposed Amended Complaint is attached as
3 Exhibit A, and that copy strikes through the text to be deleted and underlines the
4 text to be added, in compliance with LCR 15;

5 **WHEREAS** Federal Rule of Civil Procedure 15(a)(2) provides that "a party
6 may amend its pleading only with the opposing party's written consent or the court's
7 leave" and that "the court should freely give leave when justice so requires";

8 **WHEREAS** Defendants give their written consent, by and through
9 undersigned counsel, for Plaintiff to amend his Complaint;

10 **WHEREFORE, the Parties hereby jointly request**, by and through their
11 respective undersigned counsel, that:

- 12 1. The Court grant leave to Plaintiff to file his proposed Amended Complaint
13 and serve it upon all parties via the CM/ECF system within fourteen (14)
14 days of the entry of this Stipulated Motion and its accompanying Order;
- 15 2. Defendant's responsive pleading be due thirty (30) days after the Amended
16 Complaint is filed and served.

17 DATED: July 17, 2023

18 By: /s/ James M. Diaz
James M. Diaz*
Foundation for Individual Rights and
19 Expression
510 Walnut Street, Suite 1250
20 Philadelphia, PA 19106
Tel.: (215) 717-3473
21 jay.diaz@thefire.org

22 Gabriel Walters*
Joshua T. Bleisch*
23 Foundation for Individual Rights and
24

Expression
700 Pennsylvania Avenue SE, Suite 340
Washington, DC 20003
Tel.: (215) 717-3473
gabe.walters@thefire.org
josh.bleisch@thefire.org
*Admitted *Pro Hac Vice*

Robert A. Bouvatte Jr. (WSBA #50220)
Robert A. Bouvatte, PLLC
PO Box 14185
Tumwater, WA 98511
Tel.: (904) 505-3175
bob@rbouvattepllc.com

Attorneys for Plaintiff

By: /s/ Aaron Brecher (by authorization)
Aaron Brecher (WSBA #47212)
Robert M. McKenna (WSBA #18327)
Orrick, Herrington & Sutcliffe LLP
401 Union Street, Suite 3300
Seattle, WA 98101
Tel.: (206) 839-4300
Fax: (206) 839-4301
abrecher@orrick.com
rmckenna@orrick.com

R. David Hosp*
Kristina D. McKenna*
Orrick, Herrington & Sutcliffe LLP
222 Berkeley Street, Suite 2000
Boston, MA 02116
Tel.: (617) 880-1802
Fax: (617) 880-1801
dhosp@orrick.com
kmckenna@orrick.com
*Admitted *Pro Hac Vice*

Attorneys for Defendants

1 Pursuant to the foregoing Stipulated Motion to Amend Plaintiff's Complaint,
2 **IT IS HEREBY ORDERED** that Plaintiff, Stuart Reges, is granted leave to file and
3 to serve upon all parties via CM/ECF his Amended Complaint, a struck-through and
4 underlined copy of which is attached as Exhibit A, within fourteen (14) days of entry
5 of this Order.

6 **IT IS FURTHER ORDERED** that Defendants' responsive pleading or motion
7 shall be due thirty (30) days after the Amended Complaint is filed and served.

8
9 IT IS SO ORDERED.

10 Dated: _____

Hon. John H. Chun
United States District Court Judge

CERTIFICATE OF SERVICE

Plaintiff's counsel confirms that a true and correct copy of the foregoing was served by the Court's electronic filing system on July 17, 2023. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated below and parties may access this filing through the Court's electronic filing system.

Robert M. McKenna (WSBA# 18327)
Aaron Brecher (WSBA# 47212)
701 Fifth Avenue, Suite 5600
Seattle, WA 98104
Tel.: (206) 839-4300
Fax: (206) 839-4301
rmckenna@orrick.com
abrecher@orrick.com

R. David Hosp
Kristina D. McKenna
222 Berkeley Street, Suite 2000
Boston, MA 02116
Tel.: (617) 880-1802
Fax: (617) 880-1801
dhosp@orrick.com
kmckenna@orrick.com

Attorneys for Defendants

Dated: July 17, 2023

/s/ James M. Diaz
James M. Diaz*

*Admitted *Pro Hac Vice*
Attorney for Plaintiff